IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 1354 of 2005

Between:

Thula Saranga Pani, S/o.T.Rama Swamy,
R/o.H.No.3-4-632, New Raipura,
Hanumkonda Mandal Hanumkonda, District Warangal.

..... PETITIONER

AND

1 The Commissioner Municipal Corporation, Warangal, Near M.G.Hospital,

Warangal.
2 Padma W/o.Shanker, R/o.H.No.3-5-13/1, Gudibandal, Hanumkonda District.
Warangal.
3 Nakkula Sanjeev Kumar, S/o.Sambaiah,
R/o.Kumarpally 'X' Road, Hanumkonda Dist., Warangal.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction and more particularly one in the nature of writ of Mandamus declaring the in action of Respondent No.1 not taking the action in respect of the raising structures of the House Bearing MCH No.3-4-632 and in front plot situated at Raipura, Hanumkonda, Warangal against the Respondent No.2 & 3 in contrary and illegal and issue direction to the Respondent No.1 to take action against the Respondent No.2&3 of the above house raising construction.

Counsel for the Petitioner: MR.M.T.GHORI

Counsel for the Respondent No.1: MR.P.RADHA KRISHNA

Counsel for the Respondent No.2 and 3: --

The Court made the following:

ORDER:

The only grievance of the petitioner in this writ petition is that the respondents 2 and 3 herein have been proceeding with the unauthorized constructions without obtaining the necessary sanction from the first respondent-Corporation and in spite of the fact that the petitioner made a representation on 15.12.2004 complaining about the said illegal constructions, the first respondent failed to take any action. Hence, this writ petition.

Having heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the first respondent-Corporation, without expressing any opinion with regard to the correctness of the allegations made by the petitioner, the writ petition is disposed of with a direction to the first respondent to consider the representation made by the petitioner on 15.12.2004 which is filed at page-10 of the material papers along with the writ petition and to pass appropriate orders in accordance with law after affording due opportunity to the respondents 2 and 3 to rebut the allegations made by the petitioner within a period of four weeks from the date of receipt of this order. No costs.

_____

07.02.2005

VGB

To

1 The Commissioner Municipal Corporation, Warangal, Near M.G.Hospital,

Warangal.
2 2CD copies.